

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 14065 of 2007(Y)

PETITIONER:

RAVEENDRAN PILLAI K.,
KIZHAKKEDATHU KIZHAKKATHIL,
KALLUMATHAZHAM P.O.,KOLLAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

RESPONDENTS:

1. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE,
THIRUVANANTHAPURAM.
2. THE ASSITANT EXCISE COMMISSIONER,
KOLLAM.
3. S.BINU,KAYOORYYATHU KIZHAKKATHIL,
PADINJATTEKARA,THEVALAKARA,KOLLAM.
4. G. MATHEWKUTTY,
THEKKEKARA PUTHEN VEEDU,
MURUTHAMPADI,EDAMULAKKAL,
PATHANAPURAM,KOLLAM.

BY ADV. SRI.B.KRISHNA MANI FOR R3 & R4
GOVERNMENT PLEADERSMT.M.K.PUSHPALATHA FOR R1 & R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

P1: True copy of the order G.O.(MS) 34/07/TD dated 1-3-2007

P2: True copy of the guidelines issued by the 2nd respondent.

P3: True copy of the representation filed by the petitioner and others before the first respondent dated 30-3-2007

P4: True copy of the license issued to the respondents 3 and 4 by the 2nd respondent dated 1-4-2007

THOTTATHIL B. RADHAKRISHNAN, J.

= = = = =

WP(C).No.14065 of 2007-Y

= = = = =

Dated this the 6th day of December, 2007.

JUDGMENT

while the assertion of the petitioner is that he was not permitted to enter the place where the auction was conducted, it is the assertion of the first respondent that the petitioner chose not to participate in the sale and therefore, he is disentitled from challenging the licence granted to respondents 3 and 4. The sale commenced at 10 a.m. on 29-3-2007. If the petitioner had any grievance about the compulsive exclusion to enter a place where he was entitled to, it was too late to state such objection for the first time by making a representation on 30-3-2007 without any record being registered on 29-3-2007 before any competent authority. The writ petition fails. The same is accordingly dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/